

EXHIBIT

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House Bill 406, House State Administration Committee
Testimony of Andrew I. Huff
Chief Legal Counsel, Governor's Office
February 13, 2015

Chairman, members of the House State Administration Committee:

My name is Andrew Huff, chief legal counsel in the Governor's Office. I come before you today in strong support of HB 406, sponsored by Representative Cook.

HB 406 is one of several bills this session aimed at increasing compliance with Montana's campaign finance statutes. Since the Supreme Court's 2010 decision in Citizen's United, the money spent to influence elections has skyrocketed, both nationally and here in Montana. In the post-Citizen's United era, an effective campaign finance regulatory system is essential in ensuring transparency and preventing corruption, but it's not enough. In addition to that regulatory system, we need to create a climate in Montana that makes it clear to all who participate in our elections, that compliance with Montana campaign finance laws is our expectation -- a value that we hold strongly.

HB 406 begins the process of creating that climate. The bill requires that entities contracting with the State of Montana certify, as part of their contract obligation, that they are in compliance with Montana's campaign finance regulations, Title 13, Chapters 35 and 37. Misrepresentation of compliance with Title 13, or a violation of Title 13 during the term of the contract, constitutes a material breach that may be remedied under the terms of the contract. State contractors who would intentionally violate Montana's laws in order to influence the outcome of an election must understand that such tactics could result in the loss of their contract.

Although HB 406 is a simple bill, it will have great impact in sending a message that in Montana we expect clean and transparent elections. Every time a contract is signed, we will be communicating that campaign finance laws in the state are not to be ignored or circumvented.

I urge your support of HB 406.

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